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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

PADAM GIRI,	)	No. C 07-5219 JCS
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ROBERT MUELLER, III, Director, Federal	)	STIPULATION TO STAY CASE
Bureau of Investigation; EMILIO	)	MANAGEMENT CONFERENCE;
GONZALES, Director, U.S. Citizenship and	)	<del>PROPOSED</del> ORDER
Immigration Services; MICHAEL	)	
CHERTOFF, Secretary, Department of	)	
Homeland Security; MICHAEL B.	)	
MUKASEY, Attorney General, Department	)	
of Justice; TERRY RICE, San Francisco	)	
Field Office Director, USCIS; EMILIA	)	
BARDINI, Director, Asylum Office, San	)	
Francisco,	)	
	)	
Defendants.	)	

On October 11, 2007, the Court issued a scheduling order, setting a Case Management Conference on January 18, 2008. On December 21, 2007, Defendants moved to dismiss the Complaint for lack of subject matter jurisdiction. The hearing on that motion is scheduled for February 8, 2008.

In order to promote efficiency, the parties hereby stipulate, subject to the Court's approval, to stay the CMC pending the Court's ruling on Defendants' Motion to Dismiss. Alternatively, the parties respectfully suggest continuing the Case Management Conference to February 8, 2008, to

be heard following the hearing on the Motion to Dismiss.

Dated: January 4, 2008

Respectfully submitted,

SCOTT N. SCHOOLS  
United States Attorney

/s/  
MELANIE L. PROCTOR<sup>1</sup>  
Assistant United States Attorney  
Attorneys for Defendants

Dated: January 4, 2008

/s/  
BEN LOVEMAN  
Attorney for Plaintiff

### PROPOSED ORDER

The Case Management Conference, scheduled for January 18, 2008, is hereby vacated. IT IS SO ORDERED.

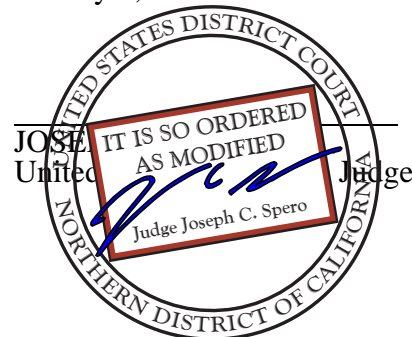
Date:

JOSEPH C. SPERO  
United States Magistrate Judge

### ALTERNATIVE ~~PROPOSED~~ ORDER

The Case Management Conference, scheduled for January 18, 2008, is hereby continued to March 21, at 1:30 PM  
~~February 8, 2008~~, to be heard following the argument on Defendants' Motion. The Case Management Statement shall be filed no later than ~~February 1, 2008~~ March 14, 2008. IT IS SO ORDERED.

Date: January 8, 2008



<sup>1</sup>I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.